

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper 95

Filed by: Trial Section Merits Panel
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Filed
November 29, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MARC A. JURGOVAN and MARTIN B. DIERL
Junior Party,
(Patent 5,972,396 and Application 09/372,646),

v.

RONALD L. RAMSEY, ARTHUR MALIN, ROBERT HOGAN,
LAWRENCE SHARE and RICHMOND M. SCOTT
Senior Party,
(Application 09/481,723).

Patent Interference No. 105,173

Before TORCZON, DELMENDO, and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

Judgment - Merits - Bd. R. 127

Based on the decision on priority (Paper 94), it is

ORDERED that judgment as to the subject matter of the count is herein entered against
senior party RONALD L. RAMSEY, ARTHUR MALIN, ROBERT HOGAN, LAWRENCE
SHARE and RICHMOND M. SCOTT;

FURTHER ORDERED that senior party RONALD L. **RAMSEY**, ARTHUR MALIN, ROBERT HOGAN, LAWRENCE SHARE and RICHMOND M. SCOTT is not entitled to claims 42-47 of application 09/481,723 which correspond to count 1;

FURTHER ORDERED senior party RONALD L. **RAMSEY**, ARTHUR MALIN, ROBERT HOGAN, LAWRENCE SHARE and RICHMOND M. SCOTT is not entitled to claims 31-33, 35-39 and 41 of application 09/481,723 which correspond to count 2;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and 37 CFR § 41.205; and

FURTHER ORDERED that a copy of this judgment be filed in the respective involved applications of the parties.

<u>/Richard Torczon/</u>)
RICHARD TORCZON)
Administrative Patent Judge)
)
)
<u>/Romulo H. Delmendo/</u>)
ROMULO H. DELMENDO)
Administrative Patent Judge)
)
)
<u>/Sally C. Medley/</u>)
SALLY C. MEDLEY)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES

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Subject: Interference No. 105173 (SCM) Paper No. 95 - Judgment-Merits-Bd.R. 127



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